

Bill No. 37-06
Concerning: Property Tax Credit –
Green Buildings
Revised: 7-28-06 Draft No. 1
Introduced: August 1, 2006
Expires: February 1, 2008
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Floreen

AN ACT to:

- (1) provide a property tax credit for certain buildings that meet certain standards for energy and environmental design; and
- (2) generally amend County law regarding property tax credits.

By adding

Montgomery County Code
Chapter 52, Taxation
Section 52-18Q

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 52-18Q is added as follows:

52-18Q. Property tax credit — Energy and Environmental Design

(a) In this section the following words have the meanings indicated:

(1) “High performance building” means a building that:

(A) is certified as achieving a silver rating for Leadership in Energy and Environmental Design – New Construction (LEED-NC) from the United States Green Buildings Council; or

(B) meets the standards for energy and environmental design adopted by the Maryland Green Buildings Council.

(2) “Property tax” means the general County tax and all special service area taxes.

(b) Subject to the restrictions in subsections (c) and (d), the Director must allow a tax credit each eligible year against the property tax imposed on a high performance building.

(c) A taxpayer must apply for the credit:

(1) for a building that is certified as achieving the silver rating for LEED-NC, within 1 year after the building is certified; or

(2) for any other building, within 1 year after a use and occupancy permit is issued under Chapter 8.

(d) (1) At the time of application, the taxpayer must choose to apply the credit over either 5 or 10 consecutive years.

(2) If the tax credit is applied over 5 years, the amount of the credit each year is 50% of the property tax owed on the building.

(3) If the tax credit is applied over 10 years, the amount of the credit each year is 25% of the property tax owed on the building.

(e) The County Executive may issue regulations under method (2) to administer this tax credit.

Sec. 2. Retroactivity.

Notwithstanding subsection (c) of Section 52-18Q as added by Section 1 of this Act, if a high performance building was certified as achieving a silver rating for LEED-NC before this Act takes effect, the taxpayer may apply for the credit established in Section 52-18Q within 1 year after the Act takes effect.

Approved:

George L. Leventhal, President, County Council	Date
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Approved:

Douglas M. Duncan, County Executive	Date
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This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council	Date
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